

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE**

Estate of Michele M. Walker	)	
	)	
v.	)	Civil Action # 11-CV-421-PB
	)	
New Hampshire Administrative Offices of	)	
the Courts, et al.	)	

**PLAINTIFF’S ASSENTED TO MOTION TO EXTEND DEADLINE FOR FILING  
SUMMARY JUDGMENT OBJECTION AND DISCOVERY DEADLINE**

NOW COMES the Plaintiff, Estate of Michele M. Walker, by and through its attorney, Law Office of Leslie H. Johnson, PLLC, and files Plaintiff’s Assented to Motion to Extend Deadline for Filing Summary Judgment Objection And Discovery Deadline, and in support therefore, respectfully states as follows:

1. Plaintiff is filing a Motion to Compel further answers from Defendant, for the reasons stated therein, which is incorporated herein by reference. Plaintiff will also be filing to further extend time to object to the Summary Judgment Motion, Discovery and Trial, in a separate motion, which is not assented-to by Defendant, and is necessary for the reasons stated therein and the Motion to Compel.

2. The subject of this Motion is to extend Plaintiff’s deadline for objecting to the Summary Judgment Motion from November 9, 2012 to November 15, 2012, and the discovery deadline from November 2, 2012 to November 9, 2012 for the purpose of taking the deposition currently scheduled on November 7, 2012. Defendant’s counsel assents hereto.

3. Plaintiff filed an Assented-To Motion to Extend on 9/25/12 (DN18) which was granted on 9/26/12 and allowed, among other deadlines, an extension to Plaintiff’s deadline for filing its Objection to Defendants’ Motion for Summary Judgment to November 9, 2012.

4. Defendant was to provide its answers to discovery to Plaintiff's counsel by October 5, 2012 (a date extended by approximately six weeks); however due to accident, mistake and misfortune, Defendant did not provide them to Plaintiff's counsel until October 9, 2012.

5. The need for a further extension of time to object to the Summary Judgment Motion is also because of the necessity to take depositions after receipt of Defendant's interrogatory answers.

6. Because of the delays aforementioned, coupled with the storm (Hurricane Sandy) which necessitated postponing one deposition from October 30 to November 7, and the upcoming Veteran's holiday, Defendant's counsel has assented to an extension for filing Plaintiff's Objection to Summary Judgment, to November 15, 2012 and discovery to November 9, 2012 (to accommodate currently scheduled depositions). These extensions should not affect the trial date.

7. As stated above, Plaintiff will be filing a separate motion for a further extension to file its Objection to Summary Judgment, extending discovery and the trial date, for the reasons stated therein. However, as Defendant has assented to a November 15, 2012 extension, this motion is being filed separately, to potentially be ruled on prior to the current November 9, 2012 deadline.

8. No memorandum of law is necessary as the granting of this motion is within the Court's discretion.

WHEREFORE, Plaintiff, respectfully requests this Honorable Court:

A. Extend the discovery deadline to November 9, 2012 for the purpose of taking currently scheduled depositions;

B. Grant Plaintiff until November 15, 2012 to file its Objection to Defendant's Motion For Summary Judgment; and

C. Grant such other and further relief as this Court deems just and proper.

Respectfully submitted,  
**ESTATE OF MICHELE M. WALKER**, Plaintiff  
By its attorney,

Date: October 31, 2012

By: /s/ LESLIE H. JOHNSON  
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#### **CERTIFICATION**

I hereby certify that on this 31<sup>st</sup> day of October 2012, copy of this Motion was electronically served through ECF on the following counsel: Mary Ann Dempsey, Esquire, Counsel for Defendants.

/s/ LESLIE H. JOHNSON  
Leslie H. Johnson, Esquire